

(c) Remarks

The pending claims under examination are 1, 3, 5, 17, and 18, with claims 1 and 17 being independent. Claims 1 and 17 were amended to clarify the intended invention. Support for this amendment may be found, for example, in the specification at page 31, lines 11-15, and page 44, lines 8-13. New claim 18 has been added. Support for the new claim may be found, for example, at page 24, line 15, to page 25, line 21. No new matter has been added.

Reconsideration of the claims is expressly requested.

Claims 1, 3, 5, and 17 were rejected as obvious over Stucky '705 in view of Crepaldi and Miyata. These claims were also rejected as obvious from Miyata 2 in view of Miyata. All the grounds of rejection are respectfully traversed.

Stucky is directed to block polymer processing for mesostructured organic oxide materials. As the Examiner correctly acknowledged, this reference fails to disclose at least retaining the substrate in a water vapor-containing atmosphere having a relative humidity from 70% to 100% after the solvent is dried. However, the Examiner relied on Crepaldi for this teaching. Applicant respectfully submits that Crepaldi cannot remedy the deficiencies of Stucky to render the present claims unpatentable.

Crepaldi is directed to mesoporous zirconia thin films. While Crepaldi discloses that the substrate is exposed to an atmosphere with an RH of at least 80% , this exposure lasts only 5 to 10 seconds (page 1583), which is considerably less than the period of at least 5 hours recited in the present claims. Applicant respectfully submits that the regularity of the mesostructure of the film containing tin oxide, unlike the film containing zirconium oxide, cannot be improved within such a short period of time.

Miyata cannot cure the deficiencies of Stucky and Crepaldi. Miyata also does not disclose or suggest retaining the substrate in a water vapor-containing atmosphere having a relative humidity from 70% to 100% after the solvent is dried, much less doing so for at least 5 hours.

Lastly, Applicant submits that Miyata 2 is not prior art. Miyata 2 was published on February 28, 2003. This is after the August 9, 2002 filing date of Japanese Application No. 2002-233026, from which the present application claims priority under 35 U.S.C. § 119. To perfect foreign priority, Applicant is currently preparing and will shortly submit a sworn translation of this priority application.

Accordingly, it is respectfully submitted that the claims should be allowed and the case passed to issue.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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